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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	X	DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/29/2022
UNITED STATES OF AMERICA,	: -	
-V-	: :	22-cr-431 (LJL)
MOISES DISLA RAMOS,	· : ·	ORDER
Defendant.	· : :	ORDER
	X	

## LEWIS J. LIMAN, United States District Judge:

The Court is scheduled to entertain oral argument on the motion to dismiss Count Three of the Indictment on Monday, December 5, 2022. The Government is directed to be prepared to address the Department of Justice's position as to whether a perpetrator can "successfully commit Hobbs Act robbery by putting a victim in fear of economic injury to an intangible asset without the use of physical force," *United States v. Hill*, 890 F.3d 51, 57 n.9 (2d Cir. 2018), and, if not, what work the "fear of injury" language in 18 U.S.C. § 1951(b)(1) does that is not already accomplished by the "by means of actual or threatened force, or violence" language.

SO ORDERED.

Dated: November 29, 2022

New York, New York

LEWIS J. LIMAN United States District Judge

USDC SDNY